

1 A bill to be entitled
 2 An act relating to notice to tenants; creating s.
 3 83.675, F.S.; requiring certain notice to a tenant
 4 renting a property subject to pending foreclosure
 5 action; creating a civil cause of action for failure
 6 to provide the notice; providing an exception;
 7 providing an effective date.

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 9 Be It Enacted by the Legislature of the State of Florida:

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 11 Section 1. Section 83.675, Florida Statutes, is created to
 12 read:

13 83.675 Notice to tenant of foreclosure.--

14 (1) An owner of real property who offers for rent a
 15 dwelling unit that is the subject of a filed pending foreclosure
 16 action shall, prior to entering into the lease, give to the
 17 tenant the following written notice:

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 19 You are notified that foreclosure proceedings have
 20 begun on the property that you are about to lease. If
 21 a foreclosure sale occurs it may affect the lease and
 22 your ability to remain through the conclusion of the
 23 lease term.

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 25 The notice must be in at least 12 point type, on a separate
 26 page, signed and dated by the tenant.

27 (2) If the owner of the real property fails to give the
 28 notice required in subsection (1), and if the tenant is forced

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29 to move out prior to the conclusion of the lease term because of
30 the foreclosure action and through no fault of the tenant, the
31 tenant shall have a civil cause of action for lease fraud, and
32 may recover from the owner of the real property who failed to
33 give the notice required by subsection (1) the tenant's actual
34 damages occasioned by the early termination of the lease, plus
35 court costs and a reasonable attorney's fee.

36 (3) This section does not create a cause of action against
37 a property manager or property management firm unless such
38 individual or firm is the owner of the real property.

39 Section 2. This act shall take effect July 1, 2013.